

MINUTES
UTAH CERTIFIED SHORTHAND REPORTER BOARD
JULY 22, 2003 - 9:00 A.M.
Room 4B - Fourth Floor - Heber Wells Bldg.
160 East 300 South, Salt Lake City, Utah

CONVENED: 9:07 A.M.

ADJOURNED: 10:24 A.M.

PRESENT:

Clyde Ormond, Bureau Manager
Marty Simon, Board Secretary

Board Members:

Rockie Dustin	Mary Bearnson
Rodney Felshaw	Shelley Wadsworth

ABSENT:

None

GUESTS:

Laurie Shingle, Certified Shorthand Reporter Association
President.

TOPICS FOR DISCUSSION:

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Swear in new board member

Mr. Ormond administered the oath of office to Shelley Wadsworth.

Minutes

The minutes of the October 29, 2002 board meeting were approved as written.

DISCUSSION ITEMS:

Use of Voice Writer Steno Mask

Mr. Ormond had received a call from a Michael Spector, an attorney for the Anti Trust Division of the U.S. Justice System, regarding the use of this device in Utah. This is a mask worn by the court reporter that records as the court reporter speaks into it at the same time as the person who is testifying speaks. The National Court Reporter Association (NCRA) doesn't recognize them as certified shorthand reporters since they are not taking shorthand. Mr. Ormond had told Mr. Spector that Utah does not recognize them either therefore, they are not required to be licensed in Utah.

They would have to petition the Legislature if they should want to become regulated and licensed. However, they have indicated they don't want to take the required Registered Professional Reporter (RPR) exam to become licensed. Ms. Wadsworth stated, in her opinion, they should be able to take the exam with their steno mask just like the court reporters take it with their machine. It was mentioned that the use of the mask in the courtroom is disruptive as it sounds like someone mumbling in the

background.

Mr. Ormond informed the Board that someone from the profession might be requested to speak at the next legislative session regarding whether the use of a voice writer steno mask should be licensed or not. Mr. Ormond will notify the profession if a bill is proposed to legislature.

News Captioning for the Hearing Impaired

When Mr. Ormond inquired whether a certified shorthand reporter did this type of work the Board replied that some do. Ms. Wadsworth stated she had heard that there might be an upcoming need for this to be done by certified shorthand reporters. She further stated that everything would be required to be in news captioning in English by 2006 and everything in Spanish by 2010. There is a proposed bill to have this done and Ms. Shingle will get a copy of it to Mr. Ormond as soon as possible. Mr. Ormond stated that news captioning would not be a public safety issue so licensure would not be required.

Specialty Realtime Exams

Ms. Shingle then informed the Board that Specialty Realtime exams will be offered for the first time on November 1, 2003, at multiple sites around the country. It will then continue to be given in conjunction with the RPR exam twice a year on the first Saturdays of every May and November. The reporters will be able to select from three Realtime certification exams for different reporting environments. They will be the Certified Realtime Reporter (CRR) exam, the Certified Broadcast Captioner (CBC) exam and the Certified CART Provider (CCP) exam. Mr. Ormond mentioned that the current statute needs to be amended to cover this.

Change of Title to Certified Court Reporter

The Board stated that certified shorthand reporter is an old term. The Board thinks the name should be changed to certified court reporter to coincide with the National Court Reporters Association title for this profession. Mr. Dustin wanted to know if the title is changed from certified shorthand reporter to certified court reporter will this profession automatically become regulated by the courts. Ms. Shingle stated the courts don't want to regulate the whole profession since there are only seventeen official court reporters in Utah. Ms. Wadsworth stated she wanted to see the profession continue to be regulated through the Division. Mr. Ormond stated the Division has no position on the matter.

Mr. Ormond stated our former Division Director, Gary

Bowen, had taken a strong stance that this was a restraint of trade as a free lance certified shorthand reporter should not be bound by the restrictions of those working for the court if they have entered into a contract with a company. However, Craig Jackson is now the Division Director and he may have a different opinion. Ms. Shingle stated contracting with one person and offering something to obtain business would not be considered a restriction of trade. Mr. Ormond suggested that this be clarified by amending the statute and adding to the “Unprofessional Conduct” section that the court reporter should always offer the same deal equally to all persons involved in the same deposition.

Senate Bill 67

Copies of this bill were given to each board member. Mr. Ormond explained the purpose of this bill is to study the possible repeal of, combination of, or modification of certain licensing boards. In Section 7 of the Bill it lists this profession as one being considered to be changed to the courts for regulation.

Mr. Dustin suggested having two levels of licensure within the profession, freelance reporter and official court reporter. Mr. Ormond recommended that the Board make an appearance when the Committee meets to review the bill so they can state the profession’s opinion.

Mr. Ormond suggested the Association do a study throughout the U.S. to determine what would be acceptable. Mr. Ormond will contact Bill Loos, Assistant Attorney General, to review the issue. Mr. Dustin stated the current statute has been very helpful to the profession in insurance issues. He would like to meet with Mr. Loos and Mr. Ormond to give a court reporter’s view on the matter. Mr. Ormond cautioned the Board about representing themselves as board members when presenting the bill to legislature, they should present it as coming from the Association.

Court Reporter statute/policy

Mr. Felshaw provided a copy of a page of the Rules of Judicial Administration where it prohibits an official court reporter from doing free lance work outside the court. The reason for this is a possibility of conflict of interest if the case should go to court at some future time. This is probably why Mr. Bowen thought it was a restraint of trade.

NEXT MEETING:

Monday at 3:00 pm on October 6, 2003

DATE APPROVED

CHAIRPERSON, UTAH CERTIFIED
SHORTHAND REPORTER BOARD

DATE APPROVED

BUREAU MANAGER, DIVISION OF
OCCUPATIONAL & PROFESSIONAL
LICENSING